

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

TUNI & G, a California General Partnership, ) Case No.: 08-CV-0410-BMT (JMA)  
) The Honorable Jan M. Adler  
Plaintiff, ) United States Magistrate Judge  
) Courtroom 1165  
)

vs.

**ORDER FOR DISMISSAL WITH  
PREJUDICE**

SPENCER GIFTS, LLC, a Delaware Limited )  
Liability Company; et al., )  
)  
Defendants. )  
)  
)

SPENCER GIFTS, LLC, a Delaware Limited )  
Liability Company; et al., )  
)  
Counter-Claimants, )  
)  
TUNI & G, a California General Partnership, )  
et al., )  
)  
Counter-Defendants. )

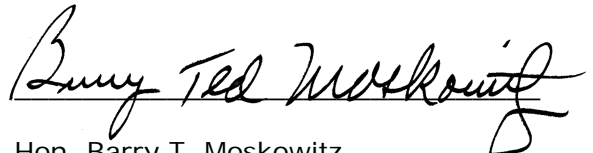
After due consideration of the Joint Motion for Dismissal with Prejudice,

IT IS HEREBY ORDERED:

1. The Complaint in the above-referenced case against Defendants Spencer Gifts, LLC, a Delaware Limited Liability Company, Spencer Gifts Holding, LLC, a Delaware Limited Liability Company and Spencer Gifts Online, LLC, a Delaware Limited Liability Company is hereby dismissed with prejudice;

2. The Counterclaim in the above-referenced case by Counter-Claimants Spencer Gifts, LLC, a Delaware Limited Liability Company, Spencer Gifts Holding, LLC, a Delaware Limited Liability Company and Spencer Gifts Online, LLC, a Delaware Limited Liability Company against Tuni & G is hereby dismissed with prejudice;
3. All parties shall bear their own attorney's fees and costs.
4. This court shall retain jurisdiction in order to enforce the settlement and release agreement between the parties.
5. All claims and counterclaims are dismissed with prejudice.

Dated: August 8, 2008

  
Hon. Barry T. Moskowitz